

**REMARKS**

Reconsideration of all grounds of objection and rejection are respectfully requested in light of the above amendments and the following remarks. Claims 1-17, as shown above, remain pending herein.

Applicants note that this application was erroneously abandoned by the U.S.P.T.O., and the abandonment withdrawn after Applicant's representatives proved that the U.S.P.T.O. was in possession of all materials in a timely manner (including a check that was processed by the USPTO, yet still abandoned the case for reasons unexplained. It should be noted that this unnecessary delay has impacted the Applicants.

Applicants also note that we have made a good faith effort to comply with all the requirements of the latest Office Action of January 26, 2004.

With regard to the Abstract, the Applicants have amended same to overcome the objection thereto regarding the recitation of the word "method".

With regard to objections to the Figures 3A, 3B, 4A and 4B, which have been deemed to be tables, rather than Figures, Applicants respectfully submit that:

Tables 1A, 1B, 2A and 2B respectively correspond to what were Figs. 3A, 3B, 4A, 4B (and their explanation keys, etc.). These items have been submitted as tables within the specification as shown above.

As a result of the introduction of the foregoing tables, Fig. 5 has been changed to Fig. 3, along with the corresponding description in the specification, as what were deemed as Figs. (3A, 3B, 4A, 4B) are now in fact tables embedded in the specification by amendment. The second description of Fig. 2 at page 7, line 13 that was objected to as

introducing new matter contradictory to the original description of Fig. 2, has been amended because this sentence is describing the graph now referred to as Fig. 3, which was originally Fig. 5 before Figs. 3 and 4 were converted into tables and embedded in the specification.

Finally, with regard to the objection of Fig. 1, Applicants note that Fig. 1 is a flowchart of a method (the claimed invention is a method) and respectfully submit that it is proper to list the steps as shown. It is respectfully requested that if the Examiner disagrees that Fig. 1 is not an acceptable flowchart, please check with the Supervisory Examiner for the Art Unit because Applicants have already experienced approximately 1.5 years worth of unnecessary delay that is the fault of the U.S.P.T.O. A flowchart that lists steps as shown in Fig. 1 is not improper.

Furthermore, as it appears that the Office Action is basing some of the drawing objections as though the claimed invention is an apparatus, Applicants respectfully submit that items such as functional algorithms do not have physical components that can be shown in a drawing as they essentially comprise computer code or firmware.

For example, claim 16 is a computer program that performs the method steps. If one should check the computer-related guidelines, code is not required for a program to be enabled, nor can the Examiner require us to provide code as an illustration. According to the Examination Guidelines, when an Applicant does not supply code, the patentability of the method steps and the computer program are determined together. There is no requirement for the Applicant to draw a diskette or a CD with the program on it, or disclose the actual source code. Applicants note that are numerous computer program patents held (i.e. Microsoft, IBM, Sun) that do not disclose code in the specification or

drawings, and such patents were not issued in error. For support, at the very least, please refer to page 20, line 16 to page 21, line 9 of the specification, that clearly provide support for claim 16. Reconsideration and withdrawal of all grounds of objection are respectfully requested.

Claims 1-17 stand rejected under 35 U.S.C. §112, first paragraph, because the specification allegedly does not provide enablement for selecting at least one adaptation algorithms from a plurality of adaptation algorithm. Applicants respectfully traverse this ground of rejection.

The specification discloses a plurality of adaptation algorithms. The Hidden Markov Model is an adaptation algorithm, and the Word Bigram Statistics is also an adaptation algorithm. Fig. 3 (the graph, originally Fig. 5) illustrates an example of when two adaptation algorithms, The HMM and Word Bigram Statistics adaptation algorithm, are combined. Fig. 1 provides a flowchart of the adaptive technique. The specification at page 10, lines 5-15 discloses, for example, that at step 30 an adaptation algorithm, or a plurality of adaptation algorithms, is executed against the information to increase the accuracy of the engine. The algorithm (or a combination thereof) may be based on an acoustic model, a language model, a pronunciation model, or some combination thereof. In addition, please see page 11 of the specification at lines 15-24, which discusses Hidden Markov Model adaptation algorithms, Word Bigram Statistics Adaptation algorithm, a phonetic transcription adaptation algorithm, to name just a few. With regard to “selecting” Applicants refer to at least page 5 of the instant specification, which discloses that the Automatic Speech Recognizer (ASR) “tune” the ASR engine, wherein the imperfect output of the recognizer itself is preferably the only information used to

supervise the transcription of live input speech data, which is analyzed by one or more adaptation algorithms, and the recognizer is retuned as necessary to increase its recognition accuracy. Furthermore, the specification at page 11 states that “[T]he adaptation algorithms are preferably speaker-independent, and **they are selected** to enable the ASR engine to learn such application-specific features as channel characteristics, dialects, pronunciation idiosyncrasies, and speaking styles. ...” (emphasis in boldface and underlining added).

Thus, for at least the above reasons, Applicants respectfully submit that base claim 1 is fully supported and that Applicants are in full compliance with both U.S.C. §112, first paragraph, as well as §132 (regarding new matter). Reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 1-17 stand rejected under 35 U.S.C. §103 over Sabourin (U.S. 6,208,964) in view of Rowden (“Speech Processing”). Applicants respectfully traverse this ground of rejection.

It is respectfully submitted that the combination of Sabourin and Rowden fails to disclose or suggest all of the elements recited by Applicant’s claims. First, Applicants respectfully submit that the combination of Sabourin and Rowden fails to disclose or suggest at least the step of selecting at least one adaptation algorithm from a plurality of adaptation algorithms as recited by instant claim 1.

As neither the combination of teachings of Sabourin and Rowden, nor either of said references discloses or suggests the aforementioned feature, it is respectfully submitted that none of the instant claims would have been obvious to a person of ordinary skill in the art in view of the combination of references. Although Rowden

discloses the use of algorithms to achieve required transformations, Applicants respectfully submit that the combination of reference still at least fails to disclose or suggest that:

without supervision, selecting at least one adaptation algorithm from a plurality of adaptation algorithms, and applying the selected adaptation algorithm to the received live input data as it is being recognized to improve at least one application-specific feature for the recognition accuracy of the speech recognizer.

For at least this reason, base claims 1, 14 and 16 are patentable over the combination of references. In addition, all of the claims dependent on one of the above base claims are patentable at least for its dependence on an allowable claim.


Reconsideration and withdrawal of this ground of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski  
Registration No. 42,079

Date: May 13, 2004

By:   
Steve Cha  
Attorney for Applicant  
Registration No. 44,069

Enclosures:

Petition for One month Extension of Time with Fee

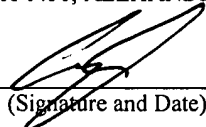
**Mail all correspondence to:**

Dan Piotrowski, Registration No. 42,079  
US PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
Phone: (914) 333-9624  
Fax: (914) 332-0615

**Certificate of Mailing Under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP NON-FEE AMENDMENTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on May 13, 2004.

Steve Cha, Reg. No. 44,069  
(Name of Registered Rep.)

  
(Signature and Date)